

Appl. No. 09/719,268
Atty. Docket No. 7499
Amd. dated September 11, 2003
Reply to Office Action of January 29, 2003

REMARKS

Claims 7-16 are now in the case.

Applicants affirm the election to prosecute claims 7-16 (Group II) without traverse.

Applicants have cancelled claims 1-6 and 17 without prejudice.

Applicants have amended independent claim 7 to include the features of a premoistened wipe for cleaning a hard surface which comprises an antimicrobial composition comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Applicants have amended independent claim 14 to include the features of a premoistened wipe for cleaning a hard surface which comprises an antimicrobial composition comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Each of these amendments is supported by the specification, claims and drawings as filed (see page 15, lines 28-32).

Rejection under 35 U.S.C. § 103(a)

Claims 7-9 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Monticello et al. '305 in view of Hossain et al. '912.

Applicants submit that claim 7 has been amended and now includes the features of a premoistened wipe for cleaning a hard surface which comprises an antimicrobial composition comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Applicants respectfully submit that neither Monticello et al. nor Hossain et al. either teach or even remotely suggest a premoistened wipe for cleaning a hard surface which

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comprises an antimicrobial composition comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Applicants note that "[t]o establish a *prima facie* case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

It is therefore Applicants' position that the office action has failed to establish a *prima facie* case of obviousness.

Reconsideration and withdrawal of the rejections are therefore respectfully requested.

Claims 10-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Monticello et al. '305 in view of Hossain et al. '912 and further in view of Wierenga et al. '514.

Applicants submit that claims 10-12 depend on claim 7 which has been amended and now includes the features of a premoistened wipe for cleaning a hard surface which comprises an antimicrobial composition comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Applicants note that Wierenga et al. discloses a "mildly acidic composition" having "a pH of from about 3 to less than about 7." (see Col 2, lines 31-32)

It is therefore Applicants' position that one skilled in the art would have had no motivation to use the suds suppressor disclosed in the mildly acidic composition of Wierenga with the composition disclosed in Monticello et al. and then impregnate the facial wipe of Hossain et al.

It is also Applicants' position that the mildly acidic composition of Wierenga et al. teaches away from Monticello et al.

Reconsideration and withdrawal of the rejections are therefore respectfully requested.

Claims 14-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Monticello et al. '305 in view of Hossain et al. '912 and further in view of Misselyn et al. '813.

Applicants submit that claim 14 has been and now includes the features of a premoistened wipe for cleaning a hard surface which comprises an antimicrobial composition

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comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Applicants note that neither Monticello et al. nor Hossain et al. nor Misselyn et al. either teach or even remotely suggest a premoistened wipe for cleaning a hard surface which comprises an antimicrobial composition comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Applicants note that "[t]o establish a prima facie case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

It is therefore Applicants' position that the office action has failed to establish a *prima facie* case of obviousness.

Reconsideration and withdrawal of the rejections are therefore respectfully requested.

Claim 16 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Monticello et al. '305 in view of Hossain et al. '912 and further in view of Misselyn et al. and Wierenga et al. '514.

Applicants submit that claim 16 depends on claim 14 which has been amended and now includes the features of a premoistened wipe for cleaning a hard surface which comprises an antimicrobial composition comprising suds suppressor and where the pH of the antimicrobial composition is greater than about 1.6 and less than about 3.0.

Applicants note that Wierenga et al. discloses a "mildly acidic composition" having "a pH of from about 3 to less than about 7." (see Col 2, lines 31-32)

It is therefore Applicants' position that one skilled in the art would have had no motivation to use the suds suppressor disclosed in the mildly acidic composition of Wierenga with the composition disclosed in Monticello et al. modified to contain the hydrotrope of Misselyn et al. and then impregnate the facial wipe of Hossain et al.

It is also Applicants' position that the mildly acidic composition of Wierenga et al. teaches away from Monticello et al.

Reconsideration and withdrawal of the rejections are therefore respectfully requested.

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It is submitted that all the claims are in condition for allowance. Early and favorable action on all claims is therefore requested.

If the next action is other than to allow the claims, the favor of a telephonic interview is requested with the undersigned representative.

Respectfully submitted,
Self et al.

By 

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